

From: Dan
To: Microsoft ATR
Date: 12/8/01 4:05am
Subject: Microsoft Case

Hi. I'm Daniel Kasak, a 25yo Australian. I work for NUS Consulting - <http://www.nusconsulting.com> - as a programmer & database administrator. I have been following the Microsoft case closely, and am very alarmed with the following points (I'll be concise):

a) Microsoft are not receiving any real penalties for profit /already made/ at the expense of other companies they have ruined. As Microsoft has already been found guilty, there should be a reasonable attempt made to judge the damage done in dollar terms to other businesses, and Microsoft should be forced to reimburse these companies. I realise this would be difficult and inaccurate, but at least a token effort must be made.

b) The terms of the current settlement exclude Open Source software from the terms of the deal - eg Open Source projects cannot get access information required to make their products work with Windows. Such Open Source projects include:

- * Linux - Operating system described by Microsoft officials as being Microsoft's "biggest threat". <http://www.linux.org>
- * Apache - Web serving software with more than 50% of the overall market. Microsoft IIS's biggest rival. <http://www.apache.org>
- * Sendmail - Email serving software with the most markets share. Microsoft Exchange's biggest rival. <http://www.sendmail.org>
- * Samba - File & print sharing software allowing non-Microsoft operating systems to integrate into a Windows-based network. <http://www.samba.org>
- * StarOffice - Sun's open-source desktop productivity suite. Microsoft Office's biggest rival. <http://www.sun.com/staroffice> & <http://www.openoffice.org>
- * Netscape / Mozilla- Web browser & Email suite. Microsoft Internet Explorer's biggest rival. I believe this is also one of the main reasons why they are in court now. <http://www.netscape.com> & <http://www.mozilla.org>

The list above is by no means exhaustive, but paints an interesting picture of Microsoft's business threats, and gives insights into why Microsoft has chosen to exclude "non-business" entities from the disclosure terms of the settlement. This is a MAJOR flaw in the settlement, and MUST be remedied.

In my opinion the original decision to split Microsoft into 2 companies would have addressed at least part b) of my complaint. I am saddened that this path was not taken. I urge you to reconsider letting Microsoft off so lightly. If they are not stopped soon, they will become so

powerful and entrenched into our high-tech society that no court of law, government, or any other organisation will be able to affect them. Or has this already happened? I will wait for your verdict before I pass final judgement.

Thankyou for your time.

Daniel Kasak